

Application No. 10/790,332  
Request for Reconsideration dated January 17, 2006  
After Final Office Action of November 14, 2005

Docket No.: 08226/1200369-US1

### REMARKS

Claims 1-19 are pending in the present application. The current Final Office Action, dated November 14, 2005, has rejected all of the claims as anticipated by one reference, US 2004/0255122 A1, Ingberman et al. (hereinafter Ingberman). No claims have been amended or added. For at least the reasons discussed below, Applicants submit that the pending claims are patentable over the prior art of record.

#### U.S.C. 102 Rejection

The Office Action rejected Claims 1-19 under 35 U.S.C. 102 (e) as being anticipated by Ingberman. The Office Action found that all of the elements of the claimed invention were either taught by the Ingberman reference or were inherent. Applicants respectfully disagree for at least the reasons discussed below.

Claim 1 determines the degree of separation between each of a plurality of nodes that are associated with a first node, wherein the first node and at least a portion of the associated plurality of nodes are granted membership in a community based on a number of degrees of separation between the first node and a second node in the community, and wherein the granting of membership in the community is controlled by at least an adaptive cut-off radius for the community.

As described in the Specification, a node's community is controlled in total size based on an adaptive cut off radius that is based on more than just the degrees of separation from another node. Instead, once a semi-stable state of growth is detected for a community associated with a particular node, a cut-off radius adaptively prevents the granting of further memberships in the community for other nodes with even relatively close degrees of separation which may have been almost automatically granted while the total size of the membership in the community was relatively small. Specification, p. 12, lines 6-15. By limiting the total number of members in a

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community that has attained a relatively stable state of growth, relatively significant resource savings are obtained by the claimed invention.

The Office Action refers to the following section of Ingerman as anticipating an aspect of Claim 1. Ingerman, p. 10-11, para. 0091, emphasis added:

For example, it may be that in a particular messaging environment each messaging entity has 32 unique first degree contacts, each of the 32 unique first degree contacts also have 32 unique first degree contacts, etc. and that the messaging environment stores trust information for up to four degrees of separation. Accordingly, each messaging entity would have access to trust information for  $32^4$ , or approximately one-million, other messaging entities.

It is surprising that the Office Action has chosen to find that the paragraph listed above teaches a method for limiting the amount of trust information, which it clearly does not. Just because Ingerman may recognize a limitation on the degrees of separation (4), the Office Action can not assume that the cited reference also teaches that each message entity must have only 32 unique first degree contacts. Also, there is no suggestion or teaching that the total amount of trust information is employed as an adaptive limiting radius, e.g., once a total amount is exceeded, no new trust information can be added even if a degree of separation is less than a predetermined limit such as four.

Also, it is important to remember that the total amount of trust information for an entity in Ingerman is based at least on both the number of unique first degree contacts and the degrees of separation. In contrast, the cited section of Ingerman states that "each messaging entity has 32 unique first degree contacts," (not must have 32 unique first degree contacts) and up to four degrees of separation. Clearly, a fair reading of the cited reference as a whole teaches that each messaging entity may have 32 or more unique first degree contacts so long as four degrees of separation is not exceeded. This interpretation of the cited reference is clearly consistent with the discussion of messaging entities in other sections of the specification, which specifically disclose

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that each entity may have any number of unique contacts. "For example, messaging addresses 222, 223, and 224, as well as any additional messaging addresses as indicated by vertical ellipsis 225, can be retrieved from address list 221 for inclusion in trust list 233." Ingerman, p. 6, para. 0054.

Therefore, even though the Ingerman system may recognize the large amount of trust information that can occur even within four degrees of separation, the actual total number of contacts per entity is unbounded, and therefore the amount of trust information for each entity is also unbounded. Thus, at least for this reason, Ingerman does not anticipate or make obvious Claim 1.

Additionally, the third paragraph of Claim 1, provides for if a message is received by the first node in the community from another node in the community, employing the level of trust associated with the other node to determine if the message is to be delivered to at least one trusted folder associated with the first node. Clearly, the claimed trusted folder is more than just an inbox for received messages. For example, inclusion of a message in the trusted folder enables a user to quickly and easily identify trusted messages which are separated from other folders that may contain untrusted messages. A user need not search through a "general" inbox which may include both trusted and untrusted messages, to find those messages that are trusted.

In contrast to Claim 1, Ingerman discloses delivery of the messages to an inbox and identifying whether the messages are "unwanted and unsolicited." Ingerman, p. 2, para 0016; p. 8, para 0069 (describing a plug-in configured to identifying an electronic message as legitimate or unsolicited and/or unwanted by modifying the subject line to indicate such). It is difficult to understand how the Office Action could characterize Ingerman's determination of unwanted and unsolicited messages as anticipating the claimed handling of "trusted" messages in a special trusted folder. Therefore, since Ingerman does not disclose or suggest delivering the messages into at least one folder that is trusted, the cited reference does not anticipate or make obvious this aspect of Claim 1.

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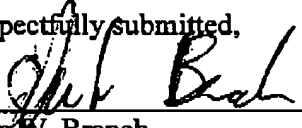
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Additionally, independent Claims 16, 17, 18, and 19, are substantially similar to amended independent Claim 1, albeit different in some ways. Consequently, these independent claims are at least unanticipated and non-obvious for at least the same reasons as independent Claim 1. Furthermore, dependent Claims 2-15, are also novel and unobvious for at least substantially the same reasons as independent Claim 1, upon which they depend.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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